

NLRB-17

System name: Personnel Security Files.

Security classification:

None.

System location:

Division of Administration, Security Staff, National Labor Relations Board, 1717 Pennsylvania Avenue NW, Washington, DC 20570.

Categories of individuals covered by the system:

Current and former NLRB employees and applicants for employment with the NLRB.

Categories of records in the system:

This system contains active and inactive personnel security files on current employees, former employees, and applicants including Federal agency name checks, police checks, and other relevant inquiries. Also, investigative summaries reflecting the reasoning behind suitability recommendations, security data cards, NLRB identification cards, and employee photographs are included.

Note: Copies of investigative information regarding an individual that were created by the Office of Personnel Management, the FBI, the Department of the Army, or other agencies that provide NLRB with information on a restricted basis under their authorities remain the property of those agencies and requests regarding such material must be directed to them.

Authority for maintenance of the system:

E.O. 10450; 5 U.S.C. 3301; Federal Personnel Manual, Chapter 732; and NLRB Administrative Policies and Procedures Manual, Title 6, Sections 2620-42.

Purpose(s):

These records are used by the NLRB Security Staff for administrative reference in determining suitability for initial and continuing employment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records or information therefrom are disclosed to:

1. NLRB officials to make a determination that the employment of an applicant or retention of employment of a current employee within the NLRB is clearly consistent with the interest of national security.
2. The appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.
3. A Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to an NLRB decision concerning the hiring or retention of an employee, or the issuance of a security clearance.
4. A Federal agency in response to its request in connection with the hiring or retention of an employee or the issuance of a security clearance, to the extent that the information is relevant and necessary to the requesting agency's decisions on that matter.
5. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.
6. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.
7. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records on current employees and applicants are maintained in file folders and on index cards.

Retrievability:

Records are indexed alphabetically by name.

Safeguards:

Records are maintained in combination safes in the personnel security officer's custody and access is limited to the personnel security officer and his duly authorized representatives.

Retention and disposal:

The files are disposed of according to applicable provisions of the General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

Security Officer, National Labor Relations Board, 1717 Pennsylvania Avenue NW, Washington, DC 20570.

Notification procedure:

An individual may inquire whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(g).

Current NLRB employees employed in bargaining units covered by a collective-bargaining agreement should refer to the applicable provisions of that agreement.

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(i).

Record source categories:

Office of Personnel Management and other Federal agencies, law enforcement agencies, Security Officer, and individual involved.

Systems exempted from certain provisions of the act:

This system may contain investigatory material compiled for the purpose of determining suitability, eligibility, or qualifications regarding Federal civilian employment. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such material from certain provisions of the act. Materials may be exempted to the extent that release of the material to the individual whom the information is about would:

1. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be held in confidence or,
2. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

The National Labor Relations Board has claimed these exemptions from the requirements of 5 U.S.C. 552a(c)(3) and (d). These requirements relate to providing an accounting of disclosures to the individual whom the records are about and access to and amendment of records.